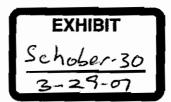
## **EXHIBIT C Benjamin Schober Conversation Record**

CONVERSATION RECORD		Time: 1830 hrs	Date: 22MAY04	
ype: Visit Telephone X Conference Incoming Outgoing		Location of visit/conference USCG AIRSTA CAPE COD, MA		
Name & title of person(s) contacted	Organization (office, dept, F/V AVA CLAIRE (O.N.: 42' FRP (sandwich const w Black Hull w/ White Super: Power: CAT 0333; 210 Hp	647315) / balsa core) structure diesel engine	Telephone #	
Subject: F/V AVA CLAIRE collision with unknown vessel, resulting in total loss of F/V AVA CLAIRE on 22MAY04				

Summary:

Met with contact following subject incident. Contact was a crewmember aboard the F/V AVA CLAIRE (O. N. 547315). Present for the interview was CWO4 and self (entered late).

- Contacted stated that vessel had departed New London, CT at approximately 0300 on 22MAY04 and that he slept a few hours on the way to fishing grounds.
- Contact believed position to be approx. 30 35 miles south of Montauk.
- · Contact stated that vessel was targeting monk fish with anchored gill-net gear.
- Contact stated that they had just completed hauling first sting of gear when they were struck by ship.
- Contact described the ship as having a blue hull with white lettering.
- Contact did not report hearing any type of vessel sound signals.
- Contacted stated that subject vessel had dry exhaust with a stack coming out of the pilot house near the aft deck, but that the noise from the engine exhaust was not particularly loud or impairing.
- Contact stated that he had spent his entire life on small boats out of the New London, CT area, primarily sail boats, but that this
  was only his 2<sup>nd</sup> commercial fishing. Both trips had been aboard subject vessel.
- Contact reported retrieving several beers, sodas, mustard packets, and misc. other items while waiting in the life raft.
- Contacted reported consuming a couple of beers while waiting in the life raft.
- BAC of contact was registered on breath alcohol test conducted by trained personnel from CG Station Cape Cod Canal.
- Contact was informed that he would be required to submit to a chemical test by his marine employer as required by 46 CFR 4.06.
   Arrangements for chemical testing, at a collection site in New Bedford, MA, were made by CWO
- Contact was informed that a \$5,000 civil penalty would be issued to anyone who fails provide a sample or obstructs the chemical
  testing process.



Action Required:		<u> </u>
Name person documenting conversation	Signature	Date
		22MAY04
TACSON TARCE.		
Signature	Title	Date